

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: EISENBACH-SCHWARTZ et al

Art Unit: 1647

Application No.: 09/314,161

Examiner: S. Turner

Filed: May 19, 1999

Washington, D.C.

For: ACTIVATED T-CELLS, NERVOUS SYSTEM-SPECIFIC ANTIGENS AND THEIR USES

Atty.'s Docket: EIS-SCHWARTZ=2

Date: November 2, 2000

RECEIVED

NOV 06 2000

THE COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

TECH CENTER 1600/2900

Sir:

Transmitted herewith is a [] Amendment [xx] Preliminary Amendment and Response to Notice to Comply with Sequence Rules + paper copy Sequence Listing
in the above-identified application.

[] Small Entity Status: Applicant(s) claim small entity status. See 37 C.F.R. §1.27.

[XX] No additional fee is required.

[] The fee has been calculated as shown below:

| | (Col. 1) | | (Col. 2) | (Col. 3) |
|---|---|-------|---------------------------------------|----------------------------|
| | CLAIMS REMAINING AFTER AMENDMENT | | HIGHEST NO. PREVIOUSLY PAID FOR | PRESENT EXTRA EQUALS |
| TOTAL | * | MINUS | ** 20 | 0 |
| INDEP. | * | MINUS | *** 3 | 0 |
| FIRST PRESENTATION OF MULTIPLE DEP. CLAIM | | | | |

| SMALL ENTITY | |
|----------------------|-------------------|
| RATE | ADDITIONAL FEE |
| x 9 | \$ |
| x 40 | \$ |
| + 135 | \$ |
| ADDITIONAL FEE TOTAL | |
| | \$ |

| OTHER THAN SMALL ENTITY | |
|-------------------------|-------------------|
| RATE | ADDITIONAL FEE |
| x 18 | \$ |
| x 80 | \$ |
| + 270 | \$ |
| TOTAL | |
| | \$ |

OR

OR

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
 ** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.
 *** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

[XX] Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[] It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity

Response Filed Within

- [] First - \$ 55.00
 [] Second - \$ 195.00
 [] Third - \$ 445.00
 [] Fourth - \$ 695.00

Month After Time Period Set

Other Than Small Entity

Response Filed Within

- [] First - \$ 110.00
 [] Second - \$ 390.00
 [] Third - \$ 890.00
 [] Fourth - \$ 1390.00

Month After Time Period Set

[] Less fees (\$) already paid for month(s) extension of time on .

[] Please charge my Deposit Account No. 02-4035 in the amount of \$.

[] Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$.

[] A check in the amount of \$ is attached (check no.).

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

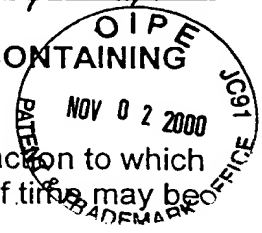
BROWDY AND NEIMARK

Attorneys for Applicant(s)

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NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES



Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☒ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☒ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☒ 7. Other: *This application is identified as a CIP of SN 09/218,277. If the sequences in instant application are the same as in the parent then applicant may request the sequence information be transferred to instant case; see sample statement.*
Applicant Must Provide:
 - ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
 - ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
 - ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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